

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In Re:
Iftikhar A Malik, Nasreen Malik
Debtor(s)

Eric E. Bononi, Trustee,
Movant

v.

Iftikhar A Malik, Nasreen Malik, and Bahram
Panahiazar
Respondent(s)

Bankruptcy No. 16-23808-CMB

Chapter 7

Related to Document No. 159

ORDER OF COURT

AND NOW, this 22nd day of August, 2017, on consideration of the Trustee's ***Motion/Complaint for Sale of Property Free and Divested of Liens***, the Court finds:

(1) That service of the *Notice of Hearing and Order* setting hearing on said *Motion/Complaint* for private sale of real property free and divested of liens of the above named Respondents, was effected on the following secured creditors whose liens are recited in said *Motion/Complaint* for private sale, viz:

(2) That sufficient general notice of said hearing and sale, together with the confirmation hearing thereon, was given to the creditors and parties in interest by the moving party as shown by the certificate of serviced duly filed and that the named parties were duly served with the *Motion/Complaint*.

(3) That said sale hearing was duly advertised on the Court's website pursuant to W. PA LBR 6004-1(c)(2) on May 5, 2017, in the Pittsburgh Post-Gazette on July 24, 2017, and in the Pittsburgh Legal Times on July 27, 2017, as shown by the Proof of Publications duly filed.

(4) That at the sale hearing the highest/best offer received was that of the above Purchaser(s) and no objections to the sale were made which would result in cancellation of said sale.

(5) That the price of \$ 13,000.00 offered by Bahram Panahiazar was a full and fair price for the properties in question. BEING:

Address	Offer
a. 209 Jucunda Street Pittsburgh, PA 15210	\$ 5,000.00
b. 318 Jucunda Street Pittsburgh, PA 15210	\$ 2,500.00
c. 38 Prospect Avenue Turtle Creek, PA 15145	\$ 1,000.00
d. 7522 Elk Road Pittsburgh, PA 15235	\$ 2,500.00
e. 27 Oakmont Avenue Duquesne, PA 15110	\$ 1,500.00
f. 817 Catherine Street Duquesne, PA 15110	\$ 500.00

(6) Each of the properties in question are encumbered by undisputed secured liens for delinquent real estate taxes and municipal services owed to the County of Allegheny ("County"), City and School District of Pittsburgh ("City and SD of Pgh"), Woodland Hills School District ("WHSD") and Pittsburgh Water and Sewage Authority ("PWSA").

(7) The Purchaser(s), or his heirs, successors and assigns, shall purchase each of the properties in question subject to the real estate taxes and municipal claims owed to the County, City and SD of Pgh, WHSD and PWSA. Said real estate taxes and municipal claims shall remain valid and fully enforceable secured liens against each of the properties and shall be assumed by Purchaser(s) until paid in full including all penalties, statutory interest, service expenses, fees, and costs; all of which shall continue to accrue until paid in full in accordance with the Municipal Claim and Tax Lien Laws of 1923, as amended, 53 P.S. § 7101 et seq.

(8) That the Purchaser(s) has acted in good faith with respect to the within sale in accordance with *In re Abbotts Dairies of Pennsylvania, Inc.*, 788 F2d. 143 (3d Cir. 1986).

NOW THEREFORE, it is hereby ORDERED, ADJUDGED AND DECREED that the sale by Special Warranty deed of the real property described as in Exhibit "A" is hereby **CONFIRMED** to Bahram Panahiazar for \$ 13,000.00, free and divested all other liens and claims, except the liens and claims of the County, City and SD of Pgh, WHSD, and PWSA as provided hereinabove, and, that the Movant/Plaintiff is authorized to make, execute and deliver to the Purchaser(s) above named the necessary deed and/or other documents required to transfer title to the property purchased upon compliance with the terms of sale;

It is **FURTHER ORDERED**, that the above recited liens and claims are valid and undisputed liens secured against each of the properties sold hereunder, that the within decreed sale shall be subject to said liens and claims and assumed by the Purchaser(s) until paid in full as provided hereinabove;

It is **FURTHER ORDERED**, that the following expenses/costs shall immediately be paid at the time of closing. *Failure of the Closing Agent to timely make and forward the disbursements required by this Order will subject the closing agent to monetary sanctions*, including among other things, a fine or the imposition of damages, after notice and hearing, for failure to comply with the above terms of this *Order*. Except as to the distribution specifically authorized herein, all remaining funds shall be held by Counsel for Movant pending further Order of this Court after notice and hearing.

- (1) The following lien(s)/claim(s) and amounts: none;
- (2) Delinquent real estate taxes, if any;
- (3) Current real estate taxes, pro-rated to the date of closing;
- (4) The costs of local newspaper advertising in the amount of \$ 209.10;
- (5) The costs of legal journal advertising in the amount of \$ 147.15;
- (6) The balance of funds realized from the within sale shall be held by the Attorney for the Movant/Plaintiff until further Order of Court, after notice and hearing; and,

It is **FURTHER ORDERED** that:

- (1) ***Within seven (7) days of the date of this Order***, the Movant/Plaintiff shall serve a copy of the within Order on each Respondent/Defendant (i.e., each party against whom relief is sought) and its attorney of record, if any, upon any attorney or party who answered the motion or appeared at the hearing, the attorney for the debtor, the Closing Agent, the Purchaser, and the attorney for the Purchaser, if any, and file a certificate of service.
- (2) ***Closing shall occur within thirty (30) days of this Order.***
- (3) ***Within seven (7) days following closing***, the Movant/Plaintiff shall file a ***Report of Sale*** which shall include a copy of the HUD-1 or other Settlement Statement; and,
- (4) This *Sale Confirmation Order* survives any dismissal or conversion of the within case.

BY THE COURT:



CARLOTA BÖHM
UNITED STATES BANKRUPTCY JUDGE

FILED
8/22/17 4:17 pm
CLERK
U.S. BANKRUPTCY
COURT - WDPA

Imaged Certificate of Notice Page 4 of 5

United States Bankruptcy Court
Western District of PennsylvaniaIn re:
Iftikhar A Malik
Nasreen Malik
DebtorsCase No. 16-23808-CMB
Chapter 7**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: kthe
Form ID: pdf900Page 1 of 2
Total Noticed: 1

Date Rcvd: Aug 22, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 24, 2017.
db/jdb +Iftikhar A Malik, Nasreen Malik, 132 Peppergrass Road, Baden, PA 15005-2564

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 24, 2017

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 22, 2017 at the address(es) listed below:

David A. Scott on behalf of Creditor Nissan Motor Acceptance Corporation scott@lg-law.com
 Eric E. Bononi on behalf of Plaintiff Eric E. Bononi bankruptcy@bononilaw.com
 Eric E. Bononi on behalf of Plaintiff Eric E. Bononi bankruptcy@bononilaw.com, pa69@ecfcbis.com
 Eric E. Bononi bankruptcy@bononilaw.com, pa69@ecfcbis.com
 Eric E. Bononi on behalf of Trustee Eric E. Bononi bankruptcy@bononilaw.com, pa69@ecfcbis.com
 James Warmbrodt on behalf of Creditor JPMORGAN CHASE BANK, N.A. bkgrouper@kmlawgroup.com
 Jeffrey R. Hunt on behalf of Creditor County of Allegheny jhunt@grblaw.com,
 cnoroski@grblaw.com
 Jeffrey R. Hunt on behalf of Creditor City and School District of Pittsburgh jhunt@grblaw.com,
 cnoroski@grblaw.com
 Jeffrey R. Hunt on behalf of Creditor Pittsburgh Water and Sewer Authority jhunt@grblaw.com,
 cnoroski@grblaw.com
 Jeffrey R. Hunt on behalf of Creditor Woodland Hills School District jhunt@grblaw.com,
 cnoroski@grblaw.com
 Jennifer L. Cerce on behalf of Creditor Penn Hills School District jlc@mbm-law.net
 Jennifer L. Cerce on behalf of Creditor Municipality Of Penn Hills jlc@mbm-law.net
 Jennifer L. Cerce on behalf of Creditor North Allegheny School District jlc@mbm-law.net
 Kevin Scott Frankel on behalf of Creditor JPMorgan Chase Bank, National Association as
 servicer for PNC Bank, N.A. pabk@logs.com
 Larry E. Wahlquist on behalf of U.S. Trustee Office of the United States Trustee
 larry.e.wahlquist@usdoj.gov
 Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
 Peter J. Ashcroft on behalf of Creditor Duquesne Light Company pashcroft@bernsteinlaw.com,
 ckutch@ecf.courtdrive.com; acarr@bernsteinlaw.com
 Robert C. Edmundson on behalf of Creditor Office of Attorney General Department of Revenue
 redmundson@attorneygeneral.gov
 Robert O Lampl on behalf of Creditor Concetta and Michael Crea rol@lampllaw.com,
 jschemm@lampllaw.com; jlacher@lampllaw.com; dfuchs@lampllaw.com; eslagle@lampllaw.com; neish51@gmail.
 com; jcooney@lampllaw.com; rcooney@lampllaw.com; slampl@lampllaw.com; RossLampl@lampllaw.com
 Robert O Lampl on behalf of Creditor Greater Northern Community Investment Group, Inc.
 rol@lampllaw.com,
 jschemm@lampllaw.com; jlacher@lampllaw.com; dfuchs@lampllaw.com; eslagle@lampllaw.com; neish51@gmail.
 com; jcooney@lampllaw.com; rcooney@lampllaw.com; slampl@lampllaw.com; RossLampl@lampllaw.com
 Robert O Lampl on behalf of Creditor Blumling & Swartz, LLC rol@lampllaw.com,
 jschemm@lampllaw.com; jlacher@lampllaw.com; dfuchs@lampllaw.com; eslagle@lampllaw.com; neish51@gmail.
 com; jcooney@lampllaw.com; rcooney@lampllaw.com; slampl@lampllaw.com; RossLampl@lampllaw.com
 Robert O Lampl on behalf of Creditor Red Rock Collections, LLC rol@lampllaw.com,
 jschemm@lampllaw.com; jlacher@lampllaw.com; dfuchs@lampllaw.com; eslagle@lampllaw.com; neish51@gmail.
 com; jcooney@lampllaw.com; rcooney@lampllaw.com; slampl@lampllaw.com; RossLampl@lampllaw.com
 S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,
 Equitablebankruptcy@peoples-gas.com; srk@sjwpgh.com

District/off: 0315-2

User: kthe
Form ID: pdf900

Page 2 of 2
Total Noticed: 1

Date Rcvd: Aug 22, 2017

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system (continued)

Stephen J. Jurman on behalf of Joint Debtor Nasreen Malik stephen@jurmanlaw.com,
jurmanlaw@gmail.com
Stephen J. Jurman on behalf of Debtor Iftikhar A Malik stephen@jurmanlaw.com,
jurmanlaw@gmail.com
Stephen J. Jurman on behalf of Defendant Iftikhar A Malik stephen@jurmanlaw.com,
jurmanlaw@gmail.com
Stephen J. Jurman on behalf of Defendant Nasreen Malik stephen@jurmanlaw.com,
jurmanlaw@gmail.com

TOTAL: 27